

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
Plaintiff)	
)	
vs.)	Civil Action No. 04-192E
)	
REAL PROPERTY KNOWN AND)	
NUMBERED AS 12171 BLAIR STREET,)	
CONNEAUT LAKE, PENNSYLVANIA)	
16316, including all improvements,)	
fixtures, and appurtenances)	
thereto or therein,)	
)	
Defendant)	

**MOTION TO APPROVE THE SALE OF
THE 12171BLAIR STREET PROPERTY**

AND NOW, comes the United States of America by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Mary McKeen Houghton, Assistant United States Attorney for the Western District of Pennsylvania, and respectfully represents as follows:

1. The United States instituted this civil forfeiture action against the defendant property as more particularly described in the verified complaint for forfeiture. The defendant property includes the real property located at 12171 Blair Street, Conneaut Lake, PA 16316 (the 12171 Blair Street Property).

2. By Stipulation and Order dated May 24, 2007, the Court authorized, *inter alia*, the interlocutory sale of the 12171 Blair Street, Conneaut Lake, PA 16316.

3. The United States requests the Court to approve the interlocutory sale of the 12171 Blair Street Property to Raymond Edge and Diane Edge (the "purchasers"), husband and wife, for the price of \$75,000 pursuant to the agreement of sale attached hereto as Exhibit A and incorporated herein. The interlocutory sale will be "as-is" and will be free and clear of the forfeiture rights of the United States.

4. Title shall pass directly from the title holders, Tu L. Nguyen & Khang Nguyen (Nguyens), to the purchasers. The United States will not be in the chain of title with regard to the 12171 Blair Street Property. Tu L. Nguyen and Khang Nguyen, the sellers, will transfer the defendant property to purchasers "as-is" by special warranty deed. The purchasers will tender the purchase price in full and in cash or certified funds at closing. The United States Marshals Service is hereby appointed as attorney in fact for Tu L. Nguyen and Khang Nguyen with full authority to execute a special warranty deed to the purchasers.

5. The net sales price, after payment of the real estate commission, taxes, mortgage and judgment liens of record prior to the United States' filing of its lis pendens, and other valid charges against the 12171 Blair Street Property at time of closing, will be deposited into the United States Marshals Service holding account pending further order of court. Any disputes concerning the validity and/or priority of liens shall be resolved by the United States District Court prior to closing. The net proceeds of sale will become the substitute res in this action.

WHEREFORE, the United States respectfully requests that this Honorable Court approve the interlocutory sale of the 12171 Blair Street Property as outlined herein.

Respectfully submitted,

Mary Beth Buchanan
United States Attorney

By: s/ Mary McKeen Houghton
Assistant U.S. Attorney
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Pittsburgh, PA 15219
(412) 894-7370
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CERTIFICATE OF SERVICE

I, Mary McKeen Houghton, Assistant United States Attorney of the Western District of Pennsylvania, hereby certify that the United States' Motion to Approve the Sale of the 12171 Blair Street Property has been served through the electronic filing system on the 14th day of February, 2008, upon the following:

Gary E. Gerson
garygerson@gmail.com

s/ Mary McKeen Houghton
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